

REMARKS

The Applicant does not believe that entry of this response will result in the introduction of new matter into the present application for invention. Therefore, the Applicant, respectfully, requests that this response be entered in and that the claims to the present application, kindly, be reconsidered.

The Final Office Action dated September 1, 2005 has been received and considered by the Applicants. Claims 1-25 are pending in the present application for invention. Claims 1-25 are rejected by the September 1, 2005 Final Office Action.

The Final Office Action rejects Claims 1-25 under the provisions of 35 U.S.C. §251, as being based on a defective reissue oath or declaration. A proper oath and declaration is submitted with this response. The Applicant, respectfully, submits that the submission of this reissue oath or declaration obviates this rejection.

The Final Office Action rejects Claims 20 and 21 under the provisions of 35 U.S.C. §102(b) as being anticipated by U.S. Patent 5,554,247 issued in the name of Ten Kate (hereinafter referred to as Ten Kate). The Applicant, respectfully, traverses this rejection for the reasons stated below.

Ten Kate clearly illustrates in Fig. 1a and the discussion related thereto on col. 5, line 67-col. 6, line 16, a transmitter to transmit left signal component L, right hand signal component, and a central audio signal an auxiliary signal. The left signal component L is applied to switch 71', the right signal component is applied to switch 71' and the central signal C is applied to switch 71'. Accordingly, switch 71' only passes one of the left signal component L, the right hand signal component, or a central audio signal C at a given time.

The teaching of Ten Kate applies the output of switch 71' to fist compression means 3. It is abundantly clear that the compression means 3 do not receive composite information signal. As described on col. 7, lines 12-16 Ten Kate, expansion means 7 realizes a dequantization on the quantized signals to generate a replica of the signal component applied to input 4. Note that expansion means 7 realizes a dequantization of the signal component applied to input 4, singular and not component plural. Ten Kate, therefore clearly teaches that the compressed data supplied to the expansion means 7 is not composite data.

Accordingly, Ten Kate, clearly teaches that the respective components L, R, and C are individually compressed before application of these signals to the dequantizer. Claim 20 defines subject matter for receiving of a data compressed composite information signal and expanding the compressed composite information signal in response to a control signal to obtain samples of the first and second digital information signal merged after each other into one datastream. This subject matter is not disclosed or suggested by Ten Kate. Therefore, Claim 20 is allowable over Ten Kate.

Claim 21 depends and further narrows and defines Claim 20. Therefore, Claim 20 is believed to be allowable.

Applicant is not aware of any additional patents, publications, or other information not previously submitted to the Patent and Trademark Office which would be required under 37 C.F.R. 1.99.

In view of the foregoing amendment and remarks, the Applicant believes that the present application is in condition for allowance, with such allowance being, respectfully, requested.

Respectfully submitted,

By 

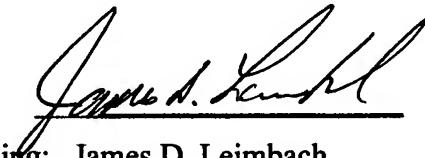
James D. Leimbach
Patent Attorney, Reg. No. 34,374
Tel. No. (585) 381-9983

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited this date with the United States Postal Service as first-class mail in an envelope addressed to: Mail Stop: Amendment, COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450

on: September 20, 2005

(Mailing Date)

Signature: 

Person Signing: James D. Leimbach